

United States District Court	DISTRICT of ARIZONA	COPY
United States of America v. JOSE JESUS QUINTERO-MORALES DOB: xx/xx/1980 U.S. Citizen	DOCKET NO.	JAN 16 2009
	MAGISTRATE'S CASE NO.	CLERK U.S. DISTRICT COURT
	BY 09-04578M	DEPUTY

Complaint for violation of Title 18**United States Code § 111(a)(1), 111(b) and 1114****COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:**

On or about December 15, 2008, at or near Nogales, in the District of Arizona, **Jose Jesus Quintero-Morales**, using a dangerous weapon, that is a rock, intentionally, and forcibly did assault, resist, oppose, impede, intimidate, and interfere with United States Border Patrol Agent Ablerto Garcia, while he was engaged in the performance of official duties, in violation of Title 18, United States Code, Sections 111(a)(1), 111(b) and 1114.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On December 15, 2008, at or about 10:00 pm, Border Patrol Agent Alberto Garcia was driving his marked Border Patrol vehicle on Dumbauld Street in Nogales, Arizona. Dumbauld Street is a narrow one way street. Agent Garcia encountered a vehicle approaching him that was traveling the wrong way on Dumbauld Street. Agent Garcia flashed his high beams at the oncoming vehicle in an attempt to signal the driver that the street was one way. The oncoming vehicle remained stationary for about one minute, and then started to back down the street. The passenger in the vehicle, **Jose Jesus Quintero-Morales**, "flipped off" Agent Garcia. Later, **Quintero-Morales** exited the vehicle, picked up a rock, and threw it at Agent Garcia and his vehicle. The rock was about 6 inches by 4 inches by 1 inch. The rock did not hit either Agent Garcia or the vehicle. **Quintero-Morales** made verbal threats against Agent Garcia, stating that he would beat Agent Garcia up if he did not have his duty belt on. While **Quintero-Morales** was being detained, he told Agent Garcia that he would see him later.

MATERIAL WITNESSES IN RELATION TO THE CHARGE:**Recommend Detention**

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

AUTHORIZED BY: Robert L. Miskell *RM*

Sworn to before me and subscribed in my presence.

SIGNATURE OF MAGISTRATE JUDGE¹⁾

SIGNATURE OF COMPLAINANT
(official title)

OFFICIAL TITLE
Special Agent U.S. Border Patrol

DATE
January 16, 2009

¹⁾ See Federal rules of Criminal Procedure Rules 3 and 54